Remarks:

The above amendments and these remarks are responsive to the Office action dated February 7, 2005. At the time of the present Office action, claims 1-7, 12, 15-17, 21, 23-27, 30 and 31 remained pending in this application.

In the Office action, all pending claims were rejected under 35 U.S.C. § 103(a) based on Martin et al. (U.S. Patent No. 6,163,662), either alone or in view of Hammond, III (U.S. Patent No. 4,381,154), Karlsson (U.S. Patent No. 6,034,360), Nakamura (U.S. Patent No. 5,599,104), Weiss (U.S. Patent No. 4,887,229), Pompei (U.S. Patent No. 6,499,877) and/or JP 01242947A.

By this Amendment, claim 1, 12, 23, 25-27 and 30 are amended. No claims are cancelled. None are added. In view of the aforementioned amendments, and the following remarks, applicants request reconsideration of the rejected claims under 37 C.F.R. § 1.111.

Rejections under 35 U.S.C. § 103(a)

As noted, claims 1-7, 12, 15-17, 21, 23-27, 30, and 31 are rejected under 35 U.S.C. § 103(a) as being obvious over Martin et al., either alone or in view of Hammond, III, Karlsson, Nakamura, Weiss, Pompei and/or JP 01242947A. Applicant respectfully traverses the rejections under 35 U.S.C. § 103(a).

Martin et al. discloses an image forming device which employs fusing assemblies to form an image on a media sheet. In the relevant embodiment (reproduced below), the device includes a sensor 22b having a heat source 25 and a temperature sensing device 27. The heat source and temperature sensing device are placed along a media path traveled by a media sheet 18. Heat source 25 imparts a heat flux 21. and temperature sensing device 27 (which is located

downstream of heat source 25) monitors the temperature of media sheet 18.

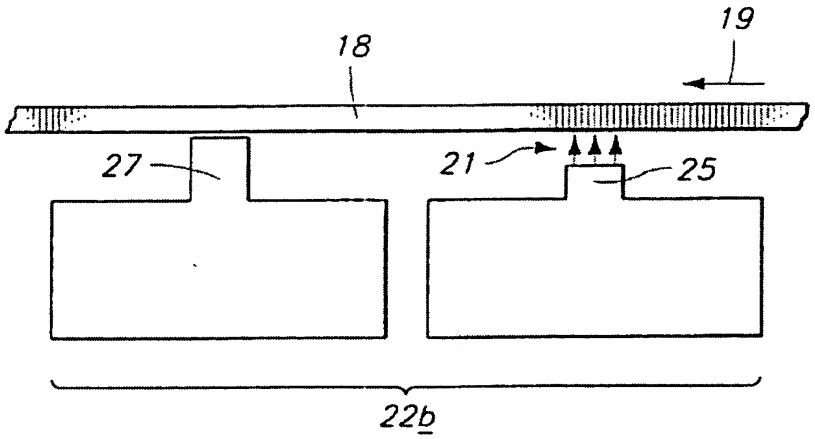


Fig 6

Martin et al. does not disclose or suggest identification of "a particular print media type of the print media based on the heat capacity of the print media" (emphasis added) as recited in amended claims 1, 26, 27 and 30. Similarly, Martin et al. does not disclose or suggest "a processor coupled with the temperature sensor to selectively identify print media type based on sensed temperature of the print media" (emphasis added), as recited in amended claims 12 and 23. In fact, Martin et al does not even consider identification of print media type. Martin et al. discloses nothing more than determining thermal characteristics of media within an image forming device.

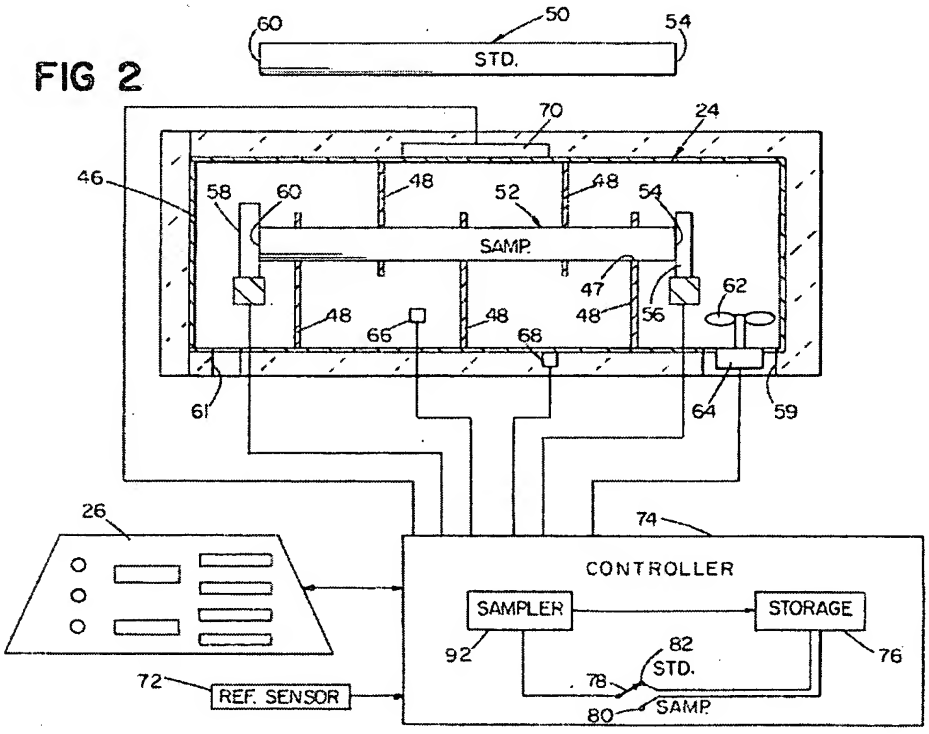
The Examiner asserts that determination of heat capacity is, "at least at some degree, indicative of the type of media" (see, paragraph 2 of the present Office action). According to the Examiner, "[i]t is inherent that, different medias have different thermal response to heating" (see, paragraph 13 of the present Office action). The Examiner fails to recognize, however, that it does not necessarily follow that it is possible to identify a particular print media type based on a determined heat

capacity of the print media. In fact, as noted above, Martin et al. does not even consider the need to identify the particular print media type.

Martin et al. similarly fails to disclose or suggest identification of print media type based on sensed temperature. In fact, the Examiner expressly notes the failure of Martin et al. to teach identifying media based on sensed temperature in paragraphs 5, 6, 11 and 12 of the present Office action. The Examiner thus cites Hammond, III.

Hammond, III discloses a method and apparatus for determining purity of a sample bar of precious metal "by testing the sample only when the temperature has reached an equilibrium, and by compensating for differences in environment and starting temperature." See, Abstract. According to Hammond, III, "a dynamic insulation system prevents heat loss from a system under test." See, Abstract. The Hammond III apparatus is reproduced below.

FIG 2



As indicated, the device includes a bar heater 56 that applies heat to a bar of precious metal 52, and a bar temperature sensor 58 that senses temperature of that bar. The temperature vs. time response of bar 52 is compared to the temperature vs. time response of a standard bar to determine the purity of composition of the bar (Hammond, III, col. 5, lns. 25-34).

Hammond, III, does not, however, disclose or suggest a system that identifies print media type based on heat capacity, or based on sensed temperature. In fact, Hammond, III does not even concern identification media in any form of media processing device. Hammond, III relates only to determining purity of precious metals, and is not even analogous to identifying a particular print media type in a media processing device. Accordingly the proposed combination of Hammond, III with Martin et al. must fail.

In the case of *In re Clay*, 966 F.2d 656, 23 USPQ2d 1058 (Fed. Cir. 1992), the Federal Circuit provided the test to determine whether a reference in the prior art is "analogous" or not.

> Two criteria have evolved for determining whether prior art is analogous: (1) whether the art is from the same field of endeavor, regardless of the problem addressed, and (2) if the reference is not within the field of the inventor's endeavor, whether the reference still is reasonably pertinent to the particular problem with which the inventor is involved.

Hammond, III is not from the same field of endeavor and is not reasonably pertinent to the particular problem at hand. First, the field of endeavor of Hammond, III is precious metal purity authentication. Applicant's claims relate to media processing devices, such as laser printers and media sorters, an entirely different field of endeavor than that of Hammond, III. Second, Hammond, III is concerned with providing a method and apparatus to determine whether a bar of precious metal has

a purity of composition that is within a given range of variance from that of a standard bar of known purity of composition (Hammond, III, col. 1, lns. 12-15), while applicant's invention is concerned with identifying the print media type used in media processing devices. Thus, Hammond, III does is not reasonably pertinent to the particular problem at hand in the present application. Therefore, Hammond, III is nonanalogous art.

Moreover, there is no suggestion, motivation or teaching to combine Hammond, III with Martin et al. As discussed above, Hammond, III discloses a method and apparatus to determine whether a bar of precious metal has a purity of composition that is within a given range of variance from that of a standard bar of known purity of composition. In contrast, Martin et al. discloses image forming devices and method of forming an image using control circuitry to control fusing operations. A person skilled in the art and confronted with problems inherent in Martin et al. would not consult the teachings of Hammond, III, or vice-versa.

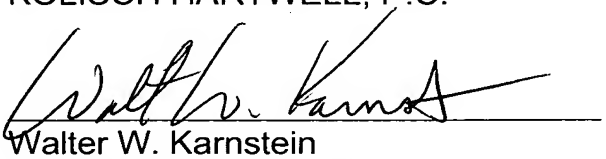
The Examiner also has cited various other references, including Karlsson, Nakamura, Weiss, Pompei and JP 01242947A. However, none of those references discloses or suggests identification of a particular print media type in a media processing devices, much less identifying media type based on heat capacity of the media, or based on the sensed temperature of the media, as recited in the independent claims.

For at least the foregoing reasons, the rejections of claims 1-7, 12, 15-17, 21, 23-27, 30 and 31 should be withdrawn.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, the Examiner is asked to please contact the undersigned attorney of record.

Respectfully submitted,

KOLISCH HARTWELL, P.C.



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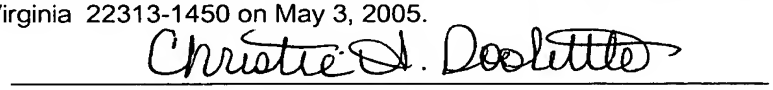
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 3, 2005.



Christie A. Doolittle